

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

MONTE RUSSELL, on behalf of himself and  
others similarly situated,

Plaintiff,

v.

WELLS FARGO AND COMPANY,

Defendant.

Case No. C-07-3993-CW

**DECLARATION OF T. JOSEPH  
SNODGRASS IN SUPPORT OF  
PLAINTIFF'S MEMORANDUM IN  
SUPPORT TO STRIKE AND  
INVALIDATE DEFENDANT'S RULE 68  
OFFERS**

EXHIBIT B



HODEL BRIGGS WINTER<sup>LLP</sup>

gbriggs@hbwillp.com  
Direct Dial: (949) 450-4422

8105 Irvine Center Drive  
Suite 1400  
Irvine, CA 92618  
Phone (949) 450-8040  
Fax (949) 450-8033  
www.hbwillp.com

July 21, 2008

**VIA FACSIMILE AND U.S. MAIL**

T. Joseph Snodgrass, Esq.  
Kelly A. Swanson, Esq.  
Larson King, LLP  
30 East 7<sup>th</sup> Street, Suite 2800  
St. Paul, Minnesota 55101

Adel A. Nadji, Esq.  
Audet & Partners LLP  
221 Main Street, Suite 1460  
San Francisco, California 94105

Re: Monte Russell, et al. v. Wells Fargo Bank, N.A.  
U.S. District Court, Northern District of California, Case C 07-03993 CW

Dear Counsel:

In response to your July 17, 2008, letter, both Ms. Kading and I were out of the office Thursday afternoon and Friday and, as a result, only received your letter today. As confirmed by our letter to you dated October 15, 2007, you agreed to withdraw the discovery requests referenced in your letter. Since the discovery requests were drafted in advance of significant developments in this matter, including pre-certification notice, we would have assumed you would want to revise the discovery requests. If you do not want to revise them, we will deem them served by mail on the date of your letter – July 17, 2008 – and respond accordingly pursuant to the Federal Rules of Civil Procedure.

Sincerely,

Glenn L. Briggs  
of Hodel Briggs Winter LLP